

**ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE**

February 24, 2022

1:32 p.m.

DRAFT

MEMBERS PRESENT

Senator Robert Myers, Chair
Senator Peter Micciche
Senator Click Bishop
Senator Jesse Kiehl

MEMBERS ABSENT

Senator Mike Shower, Vice Chair

COMMITTEE CALENDAR

CONFIRMATION HEARING(S)

Board of Marine Pilots
Leslie A. Cronk - Ketchikan
Michael O'Hara - Anchorage

- CONFIRMATIONS ADVANCED

Commissioner, Department of Transportation and Public Facilities
Ryan F. Anderson, PE - Juneau

- CONFIRMATION ADVANCED

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

LESLIE A. CRONK Appointee
Board of Marine Pilots
Department of Commerce, Community and Economic Development
Ketchikan, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Marine Pilots.

MICHAEL O'HARA, Appointee

Board of Marine Pilots

Department of Commerce, Community, and Economic Development
Anchorage, Alaska

POSITION STATEMENT: Testified as appointee to the Board of Marine Pilots.

RYAN ANDERSON, PE; Commissioner Designee

Department of Transportation and Public Facilities (DOTPF)
Juneau, Alaska

POSITION STATEMENT: Testified as commissioner designee to the Department of Transportation and Public Facilities (DOTPF).

ACTION NARRATIVE

[1:32:22 PM](#)

CHAIR ROBERT MYERS called the Senate Transportation Standing Committee meeting to order at 1:32 p.m. Present at the call to order were Senators Kiehl, Bishop, Micciche, and Chair Myers.

CONFIRMATION HEARING(S)

Board of Marine Pilots

Commissioner, Department of Transportation and Public Facilities

[1:32:52 PM](#)

CHAIR MYERS announced the consideration of Governor Appointees to boards and commissions.

[1:33:23 PM](#)

LESLIE A. CRONK Appointee, Board of Marine Pilots, Department of Commerce, Community and Economic Development (DCCED), Ketchikan, Alaska, stated that he served as a port agent for the past 37 years, representing owners and operators worldwide, including domestic and international cargo ships, containers, cruise ships, and government vessels. He explained that port agents assist with all requirements and regulations, including marine pilotage, for ships entering or departing from Alaskan waters, whether delivering or picking up cargo. As Vice-President of Southeast Stevedoring, he oversees all their offices statewide and works closely with all three regional pilot groups in Alaska. He understands the system and the unique logistics of operating in Alaska's ports and waters. He said that is why he applied for an agent seat on the Board of Marine Pilots.

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SENATOR MICCICHE asked why he applied for the agent position.

MR. CRONK responded that the board is comprised of two marine pilots, two registered agents, two public members, and the Commissioner of the Department of Commerce, Community and Economic Development or designee chairs the board. As an agent, he represents the owners and facilitates Alaska's safe, efficient, economically viable marine transportation system or the commerce side of marine piloting. He explained that marine pilots must adhere to safety regulations. He noted he is not a marine pilot, but he complements the marine pilots. He characterized it as a balanced board.

SENATOR MICCICHE asked whether he had always served in the agent seat.

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MR. CRONK answered yes.

[1:36:25 PM](#)

MICHAEL O'HARA, Appointee, Board of Marine Pilots, Department of Commerce, Anchorage, Alaska, stated that he is a member of the Southwest Alaska Pilots, an association based in Homer. He said he provides pilotage service to tankers, container ships, and cruise ships throughout the region. The state has three regions, and he serves in Region II covering Icy Bay to Kodiak Island, including Prince William Sound, Resurrection Bay, Kenai Fjords, Cook Inlet, and Kodiak Island. His license covers unlimited tonnage for his region. He echoed Mr. Cronk's comments on the seven-member board, noting it is balanced between commerce, pilots, and public members. He related that then-Governor Cowper appointed him after the Exxon Valdez Oil Spill, and he was reappointed by then-Governors Hickel, Parnell, and Palin, and currently by Governor Dunleavy.

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CHAIR MYERS asked whether he has seen changes in the last 30 years.

CAPTAIN O'HARA offered his view that things are much better now. When he began his service 30 years ago, the Exxon Valdez oil spill had just occurred, and the pilotage situation was tumultuous.

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SENATOR KIEHL noted that he answered that he had a prior conviction. He asked what had occurred and what has happened since then.

CAPTAIN O'HARA answered that he pled guilty to harassment in the second degree.

SENATOR KIEHL asked for the date of the offense.

CAPTAIN O'HARA responded that he was not willing to discuss it. He noted that it is all in the public record.

1:40:52 PM

CHAIR MYERS announced the consideration of the Governor Appointee to serve as commissioner of the Department of Transportation and Public Facilities (DOTPF).

1:41:04 PM

RYAN ANDERSON, PE; Commissioner Designee, Department of Transportation and Public Facilities (DOTPF), stated that he grew up in Minnesota and earned a bachelor's degree in geological engineering from the University of Alaska Fairbanks (UAF). He worked at Greens Creek Mine for three years, then for the Department of Transportation and Public Facilities (DOTPF) as a construction inspector. He said he went back to UAF and earned a civil engineering degree. He has worked for DOTPF since 2000. During the last five years, he has worked as the Director of DOTPF's Northern Region.

COMMISSIONER DESIGNEE ANDERSON said he has served as the commissioner designee for five months, focusing on three main areas. First, he has concentrated on DOTPF staff, in part, due to the adverse effects of the COVID pandemic. He stated the department must have an excellent workforce to accomplish things.

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COMMISSIONER DESIGNEE ANDERSON related his second focus was on infrastructure since the state has opportunities with the federal infrastructure funding that it has not had in the past. The department needs to make sound investment decisions for the future. He indicated his third focus has been to develop partnerships. In order for the department to accomplish capital projects and maintenance requires resources, and one way to do so is by partnering with local communities and organizations. He has gone from focusing on the frontline and operations as a regional director to expand his scope. He noted that Alaska is a big state with challenging geography. He acknowledged that he thought hard about whether to serve as commissioner and ultimately decided that to take what he learned and try to make a difference.

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SENATOR KIEHL highlighted that the legislature created a new Alaska Marine Highway Operations Board with an advisory structure. He asked what he thought about the relationship between the Alaska Marine Highway System (AMHS) and the board.

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COMMISSIONER DESIGNEE ANDERSON responded that coming from Interior Alaska, the Alaska Marine Highway System (AMHS) was new to him. He related that his first week on the job, he traveled by ferry to Ketchikan to learn about AMHS. He characterized AMHS as a unique system, which is important to Alaska. He compared the reliance Southeast Alaskans have on AMHS to the ice road network that northern Alaskans rely on in winter. He viewed the Alaska Marine Highway Operations Board as a partnership. He noted that DOTPF has a seat on the board. The board's mission is to discuss the direction AMHS should take. The board's recommendations will go to the legislature and the governor. As commissioner, he will listen. He said he is open to new ideas and does not have a predetermined view of AMHS's outcome. He stated the challenge for AMHS is reliability, so the department has taken measures to increase AMHS's reliability. When the Matanuska was overhauled, the department got the Tazlina running. The department has also tried some new things, including supplemental contracts to bring service to the communities. He reiterated that he wants to listen, consider the recommendations, and move forward.

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SENATOR BISHOP noted Mr. Anderson has an excellent track record with the department. He asked for the top three accomplishments he would like to achieve in the next four years.

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COMMISSIONER DESIGNEE ANDERSON responded that DOTPF's workforce is strong, so it attracts people, and the department has been filling vacancies. DOTPF's culture is innovative, and its workforce accomplishes many unique things that would impress other states' highway departments. He emphasized that the Dalton Highway Maintenance & Operations (M&O) crew accomplishes impressive things. The four safety corridors providing essential infrastructure are the Wasilla Knik-Goosebay Road (KGB), the Parks Highway, the Sterling Highway, and the Seward Highway. He highlighted that all four corridors were under construction, including building a four-lane road on the Sterling Highway that will provide a generational project for Alaska. He acknowledged

that four years would be an aggressive timeline, but he thought the department could accomplish it. Third, the department could establish better transportation planning organizations in each region. The regions should first identify their priorities, and then DOTPF could figure out the funding for those priorities. The regional priorities and modes of transportation vary since Alaska is immense and has vast geography. He stated that DOTPF addresses this in ways that are fair and equitable. He offered his view that people believe that the projects DOTPF focuses on are the right ones.

1:50:28 PM

SENATOR MICCICHE related that the public typically views the department unfavorably. Although the public likes the orange trucks and snowplows, they have a distorted community view of the department and often complain about what they think the department is not doing right. He wondered what could be done on social networking to inform the public better. For example, people don't know when DOTPF is dispatched to maintain a road or how hard its crews work. He asked whether he had plans to address this issue to better engage with the public.

COMMISSIONER DESIGNEE ANDERSON agreed that communicating with the public was challenging. He said DOTPF had improved its social media efforts, and the department constantly works to inform the public. For example, the department posted photos of the Sterling Highway landslide so travelers could see that it would take time to clear. He emphasized that the department wants to continue its work on its social media. For example, the communications director has begun working on Tik Tok since social media venues evolve. He offered his belief that DOTPF will always have challenges with misinformation. He suggested that the more transparent DOTPF can be, the better it will be for the department. He pointed out that other states have real-time websites that show plow trucks plowing their roads. He indicated that DOTPF has been considering using additional tools such as those due to the improved technology. He emphasized that transparency could also help counter the notion that crews are sitting idle since they work hard daily.

1:53:45 PM

SENATOR MICCICHE agreed that DOTPF's crews work hard in the most challenging and high-risk locations, including Turnagain Arm. He expressed concern that the department has "played games" with the maintenance stations in prioritizing road maintenance in his district. He asked the commissioner for his philosophy in recognizing critical transportation routes for commerce and

community connectivity. He wondered whether communities could expect more of the same or if DOTPF leadership will work with communities to prioritize road maintenance.

1:55:19 PM

COMMISSIONER DESIGNEE ANDERSON highlighted his commitment by illustrating his problem-solving approach. A few years ago, the Dalton Highway deteriorated due to rain. He said he rode along with a trucker bringing a 10,000-gallon fuel tanker to Prudhoe Bay to observe what the truckers were facing. He related the importance of having discussions with M&O crews about ways to operate more efficiently. The department discussed ways to leverage borough resources to get roads cleared faster. He remarked that he is open to new ideas. He offered his belief that the state would see a significant investment in the freight and primary routes. He emphasized that widening the Seward Highway is a significant investment, but it will provide a major improvement. The Parks Highway improvements demonstrate how DOTPF can build its infrastructure. He suggested his overall approach will be to constantly push to improve freight routes and primary roads.

1:57:27 PM

CHAIR MYERS stated that he doesn't hear a lot of complaints about DOTPF. Still, one thing people complain about is not hearing about projects until the work begins or a news article outlines what projects will occur during the construction season. He stated that people would like to be involved in the planning stage or have enough time to head off a project they don't like. He wondered if the department plans to perform outreach earlier in the planning process.

1:58:18 PM

COMMISSIONER DESIGNEE ANDERSON replied that DOTPF has new federal Planning and Environmental Linkages (PEL) Studies. He described two types of planning: one type of planning considers the traffic and road configurations, and the other considers the environmental resources, including wetlands and cultural resources. Although the department has good initiatives to focus on more planning, sometimes people don't show up for the planning meetings. The meetings are not as attractive as when bulldozers and trucks show up. The department hopes to get media attention during the planning phase since that's the best time to get good input to guide the project or show the final project corridor. He related the process, including the design phase and robust National Environmental Policy Act (NEPA) process used in more complex projects. Next, DOTPF attends the local planning

authority meetings, including borough or city assembly meetings seeking approval for its projects. DOTPF recently held open houses to let people know which projects are coming up during construction. He acknowledged that the magnitude of changes becomes less at that point. The public has the most influence to change projects when projects are in the planning phase, and the public has less and less ability as the process moves forward.

2:00:25 PM

SENATOR MICCICHE asked how often the department scrubs the metrics for transportation needs. He said gaps exist, and one size fits all is not the right way to evaluate projects. He asked how the department could identify projects that don't seem like priority projects but are essential to health, safety, and commerce for communities. He wondered if the department could use the primary STIP process and have a secondary list for projects that did not rise as high in the scoring.

COMMISSIONER DESIGNER ANDERSON highlighted one challenge for Alaska has been its reliance on federal dollars since the Federal Highway Administration (FHWA) places numerous rules on projects. Hence, DOTPF uses state funding to achieve more flexibility. He highlighted the importance of having more local planning, such as the Fairbanks Area Surface Transportation (FAST) Planning, and the Metropolitan Planning Organization (MPO). When he sat on the board for several years, he was exposed to local issues that DOTPF probably wouldn't have considered. He pointed out that DOTPF has creative staff, so once staff becomes aware of a problem, it's possible they will find a solution.

2:03:24 PM

SENATOR MICCICHE related his understanding that the Cooper Landing Bypass was delayed again. He asked for the source of the delay and what the community could expect to see in the next couple of years.

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COMMISSIONER DESIGNER ANDERSON reported that the department had a conflict with the contractor. He explained that the construction manager/general contractor (CMGC) process brings in a contractor early in the design process, and the contractor and department negotiate a price for the project. However, DOTPF could not resolve the price, so the department solicited another bid. The department has another contractor on board, and the project is moving ahead. He anticipated that the project would be under construction this summer, but it is a large, multi-year

project with a timeframe of five years. He highlighted that the goal is to have logical sequences year by year to get the project done.

2:04:54 PM

SENATOR MICCICHE responded that he felt prior commissioners politely let him talk, but he finds him to be receptive, creative, and someone who genuinely cares what his district thinks. He said he hopes he can maintain that positive outlook as he moves forward.

COMMISSIONER DESIGNEE ANDERSON thanked him.

2:05:50 PM

SENATOR KIEHL said he hoped the commissioner was committed to transportation planning not just project planning. The last five-year update of the Southeast Area Transportation Plan was adopted in 2008, although an effort was made in 2015 or 2016 to finish it.

SENATOR KIEHL noted that the state should have another mainline ferry coming online in two years, plus another one is in the process, but most of AMHS's vessels are old.

SENATOR KIEHL echoed Senator Micciche's comments on the great work that the maintenance station crews perform. However, the commissioner has inherited another major issue, which is maintenance itself. Further, many maintenance stations are in varying stages of decay. The crews are working in buildings where the steel does not necessarily connect to the concrete, and culverts are in differing states of collapse. He asked how the commissioner plans to get ahead of this colossal maintenance problem.

2:07:53 PM

COMMISSIONER DESIGNEE ANDERSON agreed that many camps are old. He stated the first goal is to create an inventory of needs for facilities and prioritize them. One challenge the department has seen is that the federal infrastructure funding does not provide much facility funding. The department will seek funding opportunities. He cautioned that this is one area the department has seen vacancies, including electricians, plumbers, and carpenters, which can exacerbate the problem. He recapped that the first step would be to understand the problem and then take the following steps.

2:09:33 PM

SENATOR KIEHL suggested adding equipment mechanics to the list. He highlighted that the starting salary for equipment mechanics was \$22 per hour, whereas Greens Creek on Admiralty Island starts its equipment mechanics at \$35 per hour. He asked about the new facilities service's consolidation. He highlighted that some state employees waited two weeks for keys to their offices.

COMMISSIONER DESIGNEE ANDERSON replied that the Division of Facilities Services consolidation was fairly new, including a capital side for building new facilities and an operational piece, including leasing. He acknowledged that he likes to know if people have problems obtaining keys for buildings, and he can run those things down. He admitted that some "teething" occurs when starting something new, but he feels optimistic. He explained the concept was that consolidating all these facilities into one organization will bring efficiencies and allow the department to view all the facilities throughout the state.

[2:11:48 PM](#)

CHAIR MYERS turned to commercial vehicle enforcement. He acknowledged that the department enforces federal regulations. He said that attitudes throughout the division change. He asked whether he had a specific vision for commercial vehicle enforcement.

COMMISSIONER DESIGNEE ANDERSON responded that this was an area where he had work to do. He said he has not yet reviewed commercial vehicle enforcement. He related that the weigh stations might seem like an obstacle, but the goal is to protect the highways. Overweight loads can adversely affect highways. The department must ensure that it protects infrastructure. He offered to hold more conversations and work through any problems.

[2:13:31 PM](#)

CHAIR MYERS acknowledged that he received a couple of overweight tickets over the years. He highlighted that truck drivers want to see the department focus on safety, not on generating revenue. He related his experience driving in the Lower 48, where states were focused on compliance and finding violations to generate revenue. He remarked that Alaska appeared to be more focused on safety. He commented that he hoped that was the culture that the department would embody.

[2:14:35 PM](#)

CHAIR MYERS opened public testimony on the confirmation hearings for Leslie A. Cronk and Michael O'Hara, the Board of Marine Pilots, and Ryan Anderson, Commissioner Designee for the Department of Transportation and Public Facilities (DOTPF); hearing none, he closed public testimony on the confirmation hearings.

[2:14:53 PM](#)

SENATOR MICCICHE moved that in accordance with AS 39.05.080, the Senate Transportation Standing Committee reviewed the following and recommends the appointments be forwarded to a joint session for consideration:

Board of Marine Pilots

Michael O'Hara - Anchorage

Leslie A. Cronk - Ketchikan

Commissioner, Department of Transportation and Public Facilities

Ryan F. Anderson, PE - Juneau

[Signing the reports regarding appointments to boards and commissions in no way reflects individual members' approval or disapproval of the appointees; the nominations are merely forwarded to the full legislature for confirmation or rejection.]

CHAIR MYERS heard no objection, and the confirmations were advanced.

[2:15:34 PM](#)

At-ease

[2:16:55 PM](#)

CHAIR MYERS reconvened the meeting.

[2:17:15 PM](#)

There being no further business to come before the committee, Chair Myers adjourned the Senate Transportation Standing Committee meeting at 2:17 p.m.